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| 5-5 | Provider Records for Persons Receiving Support | Part 1 of 2 |
| Authorizing Utah Code: 62a-5-103 | | Rule: R539-5-1 |
| Approved: 8/12/99 | | Printed: 5/02 |
| Form(s): S5-5, S5-5P | | Guideline(s): 5-5 Provider Records |

POLICY

Provider Agencies are required to maintain a record for each **Person** receiving services. Records will contain all information required by the **Division**, Office of Licensing, and **Medicaid**. Record information will be treated as private or controlled under **Utah Code Annotated** Title 63, Chapter 2, The Government Records Access and Management Act (GRAMA). Records will be locked and secured to protect the primary interests of the **Person**. All records are the property of the State of Utah. **Providers** will furnish copies of documents upon written request by the **Division** as required by **Department** Contract. (See **Department** Contract - Attachment A, Standard Terms and Conditions, Procedure 7 and Attachment B, Additional Terms and Conditions, Procedure 9).

PROCEDURES

1. Each **Person**'s record will contain the following information as applicable:
 - A. Name, address, phone number, birth date, identification and Medicaid numbers (if applicable);
 - B. Photograph of **Person**;
 - C. Name, address, and phone number of the **Person's Representative**, or name of emergency contacts and instructions on how to contact;
 - D. Name and phone number of the primary care physician, medical specialist and medical insurance, if any;
 - E. A social history and psychological evaluation.
 - F. Health information to include examination, assessments, treatments and dental examinations, treatments and assessments, prescribed medication(s), allergies, immunization records, chronic complaints, illness, surgeries, and any significant health changes;
 - G. Documentation of authorization for emergency medical treatment including instructions regarding life supports requests;
 - H. Documentation of medication(s) taken, incidents requiring first aid, and referrals to medical providers and health care facilities;
 - I. Reports of behavioral or other incidents and records of accidents or injuries involving the **Person** supported;
 - J. Current **Person-centered Plan** with **Provider Support Strategies**;
 - K. Record of services to include admission and termination dates;
 - L. **Support Strategies** and data showing that those **Support Strategies** were implemented (e.g., monthly progress notes and other supporting data collected, including specific services rendered, the date and hours of attendance, and where and who rendered the services, for example, day training facility or **Person's** home, etc.);
 - M. Human rights, guardianship and other legal documentation;
 - N. Documentation of anyone reviewing a **Person's** record to include signature, title, date, and reason for examining the record. **Provider** staff shall generally have access to those portions of the record which directly relate to the **Person's** support;
 - O. Appropriate Release of Information **Form(s)** with documentation about information released.

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| 5-5 | Provider Records for Persons Receiving Support | Part 2 of 2 |
| Authorizing Utah Code: 62a-5-103 | | Rule: R539-5-1 |
| Approved: 8/12/99 | | Provider Requirements |
| Rule Effective: | | Printed: 5/02 |
| Form(s): S5-5, S5-5P | | Guideline(s): 5-5 Provider Records |

2. Provider will retain client records based on the following:

- A. CHILD RECORDS:
For **Persons** under age 22, the **Provider** retains the record 5 years after the **Person's** 21st birthday.
- B. ADULT RECORDS:
For **Persons** age 22 and older, the **Provider** retains the record based on the retention schedule outlined in **Division** Guideline 5-5.
- C. CLOSED PROVIDER RECORDS: (records on **Persons** who transferred to another **Provider** or who no longer require services from the **Division**)
 - i. The **Provider** retains closed adult records for 5 years after date of closure.
 - ii. The **Provider** retains closed child records for 5 years after the child's 21st birthday.
- D. The State Archives office is available to store **Providers'** records at no cost see **Forms** RTS and RTS-A.

3. **Providers** will observe **Utah Code Annotated** 63-2-30 and the Government Records Access and Management Act (GRAMA) classifications in safeguarding and releasing information; and **Utah Code Annotated** 63-2-905 (burn or shred to destroy records).

Government Records Access and Management Act (GRAMA) Classifications:

- A. PRIVATE CLASSIFICATION, **Utah Code Annotated** 63-2-302
Private classification is information that contains personal data on **Persons**. Access is restricted to state and **Provider** agency personnel and the **Person** who is the subject of the record. Examples include records on **Persons** and personnel.
- B. CONTROLLED CLASSIFICATION, **Utah Code Annotated** 63-2-303
Controlled classification is the most restrictive and used only rarely. This classification is appropriate only in those situations where releasing the medical or psychological information would be detrimental to the **Person's** mental health, would jeopardize someone's safety, or would violate normal professional practices and ethical standards. This type of information may be withheld from a **Person** who is the subject of the record and the **Person's Representative**.

(NOTE: Documents within the **Person's** record may have varying GRAMA classifications.)